


U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

b

JOEL HAPPY SIWE

CIVIL ACTION NO. 1:15-CV-02122

VERSUS

CHIEF JUDGE DRELL

DAVID COLE, WARDEN, et al.

MAGISTRATE JUDGE PEREZ-MONTES

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MEMORANDUM ORDER

Joel Happy Siwe ("Siwe"), a native and citizen of Cameroon, filed a Section 2241 habeas petition on August 2, 2015 to contest his continued detention by Immigration and Customs Enforcement ("ICE"), since May 31, 2011 (Doc. 1). There still is no final order of removal in Siwe's case. Respondents filed a motion to dismiss Siwe's petition as moot or, in the alternative, to transfer his petition. Respondents contend Siwe was transferred to the Northern District of Alabama before he filed this petition (Doc. 10). Respondents submitted an affidavit by Kevin Demerin, a deportation officer for ICE, which shows that Siwe was transferred to Etowah, Alabama on August 2, 2015 (Doc. 10-3). Respondents allege that Siwe's attorneys have consented to transfer Siwe's petition to Alabama.

Jurisdiction over a Section 2241 petition lies in the district where the petitioner is incarcerated at the time he filed his § 2241 petition. See Griffin v. Ebbert, 751 F.3d 288, 290 (5th Cir. 2014); Lee v. Wetzel, 244 F.3d 370, 373 (5th Cir. 2001). Therefore, jurisdiction over Siwe's § 2241 petition lies in the Northern District of Alabama, where he was transferred on the day he filed his petition. Accordingly,

IT IS ORDERED that Respondent's motion to transfer (Doc. 10) is GRANTED.  
The Clerk of Court is ORDERED TO TRANSFER the above-captioned case to the  
United States District Court for the Northern District of Alabama, Eastern Division.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana, this  
11<sup>th</sup> day of March 2016.



Joseph H.L. Perez-Montes  
United States Magistrate Judge